

*Amendments to the Claims*

1. (Cancelled)

2. A method ~~as recited in claim 1~~, of facilitating transmission of a message from a sender to a receiver, comprising:

storing sender identification information in association with a penalty that a sender is willing to incur for a first message that is unwanted by the receiver;

receiving a query about whether a sender of a first message satisfies specified sending criteria;

determining whether the sender satisfies the specified sending criteria; and

sending a second message specifying whether the sender of the first message satisfies the specified sending criteria, for use by the receiver in determining whether to accept the first message;

wherein the determining step comprises determining whether the penalty is greater than a base penalty amount multiplied by the sum of (a) a number of complaints about unsolicited messages that are actually received from the sender and (b) an estimate of a number of complaints that are not yet made or never made by the receiver and any other receiver.

3. (Original) A method as recited in claim 2, further comprising refusing to accept the first message when the penalty is not greater than the base penalty amount multiplied by the sum of (a) and (b).

4. (Currently Amended) A method ~~as recited in claim 1~~, of facilitating transmission of a message from a sender to a receiver, comprising:

storing sender identification information in association with a penalty that a sender is willing to incur for a first message that is unwanted by the receiver;

receiving a query about whether a sender of a first message satisfies specified sending criteria;

determining whether the sender satisfies the specified sending criteria; and

sending a second message specifying whether the sender of the first message satisfies the specified sending criteria, for use by the receiver in determining whether to accept the first

message wherein the determining step comprises determining a sender experience value for the sender of the first message, wherein the sender experience value is computed as the penalty divided by a sum of a number of complaints about unwanted messages that are actually received from the sender and an estimate of a number of complaints that are not yet filed or never filed by the receiver and any other receivers.

5. (Original) A method as recited in claim 4, further comprising refusing to accept the first message when the sender experience value for the sender of the first message is less than a specified minimum sender experience value.

6. (Currently Amended) A method of authorizing transmission of a first message from a sender to a receiver, comprising:

storing sender identification information in association with a penalty value identifying an amount of monetary value that a sender is willing to pay for a specified message that is sent by the sender to the receiver and that is unwanted by the receiver;

receiving a query about whether a first message from the sender is subject to a penalty offered by the sender;

determining whether the first message is subject to a penalty offered by the sender; and

sending a second message specifying whether the first message is subject to a penalty offered by the sender;

receiving a third message, from the receiver, indicating that the first message is unwanted; and

in response to receiving the third message, determining a sender experience value for the sender of the first message, wherein the sender experience value is computed as the amount of monetary value divided by a sum of a number of complaints about unwanted messages that are actually received from the sender and an estimate of a number of complaints that are not yet filed or never filed by the receiver and any other receivers.

7. (Original) A method as recited in claim 6, further comprising the step of receiving a third message indicating that the first message is unwanted.

8. (Original) A message as recited in claim 7, further comprising verifying that the third message is legitimate based on comparing a source network address of the third message to a recipient address in the first message.

9. (Original) A method as recited in claim 6, further comprising the steps of: receiving a third message, from the receiver, indicating that the first message is unwanted; in response to receiving the third message, transferring money from the sender's account.

10. (Cancelled)

11. (Original) A method as recited in claim 6, further comprising the steps of: receiving a third message, from the receiver, indicating that the first message is unwanted; in response to receiving the third message, transferring value from the sender, wherein the value transferred from the sender is equal to the penalty value.

12. (Original) A method as recited in claim 6, further comprising the steps of: after sending the second message, receiving a request to reserve an amount of monetary value equal to the penalty value; in response to receiving the reservation request, storing a reserved penalty value in association with the sender identification data; receiving a third message, from the receiver, indicating that the first message is unwanted; in response to receiving the third message, transferring value from the sender.

13. (Original) A method as recited in claim 6, further comprising the steps of: sending the penalty value as part of the second message; receiving a third message, from the receiver, indicating that the first message is unwanted; in response to receiving the third message, transferring value from the sender.

14. (Original) A method as recited in claim 6, wherein the first message is an electronic mail message.

15. (Original) A method as recited in claim 6, wherein the first message is a telephone message.

16. (Original) A method as recited in claim 6, wherein the first message is an electronic mail message, and wherein the query is received from an electronic mail service provider.

17. (Original) A method as recited in claim 6, wherein the first message is a telephone message, and wherein the query is received from a telephone network service provider.

18. (Original) A method as recited in claim 6, wherein the storing step comprises the step of storing sender identification information with multiple penalty values identifying a plurality of different amounts of monetary value that a sender is willing to pay for a message that is sent by the sender to receivers and that is unwanted by the receivers, wherein each of the plurality of penalty values is associated with one of a plurality of receivers.

19. (Original) A method as recited in claim 6, wherein the storing step comprises the step of storing sender identification information in association with a plurality of penalty values identifying a plurality of different amounts of monetary value that a sender is willing to pay for a message that is sent by the sender to receivers and that is unwanted by the receivers, wherein each of the plurality of penalty values is associated with one of a plurality of categories of receivers.

20. (Original) A method as recited in claim 6, wherein the storing step comprises the step of storing sender identification information in association with a plurality of penalty values identifying a plurality of different amounts of monetary value that a sender is willing to pay for a message that is sent by the sender to a receiver and that is unwanted by the receiver, wherein each of the plurality of penalty values is associated with one of a plurality of categories of messages.

21. (Original) A method as recited in claim 6, wherein the storing step comprises the step of storing sender identification information in association with a penalty value identifying a maximum amount of monetary value that a sender is willing to pay for a message that is sent by the sender to a receiver and that is unwanted by the receiver, and further comprising the steps of: receiving a third message, from the receiver, indicating that the first message is unwanted; in

response to receiving the third message, selecting a value amount that is less than or equal to the penalty value, and transferring the selected value amount from the sender.

22. (Original) A method as recited in claim 6, further comprising the steps of: receiving a third message, from the receiver, indicating that the first message is unwanted; in response to receiving the third message, transferring value from the sender, including transferring a portion of the value to the recipient.

23. (Cancelled)

24. (Cancelled)

25. (Cancelled)

26. (Currently Amended) A method ~~as recited in claim 25~~, for processing an electronic message, comprising:

receiving a first message from a sender that is sent to an intended recipient;

requesting a service operator to determine whether the sender of the first message satisfies specified sending criteria;

receiving a second message from the service operator indicating whether the sender satisfies the specified sending criteria;

forwarding the first message to the intended recipient only when the second message indicates that the sender of the first message satisfies the specified sending criteria;

wherein the second message indicates whether, for the sender, an amount of monetary value that the sender has agreed to forfeit is greater than a penalty that is computed as a base penalty amount multiplied by the sum of (a) a number of complaints about unwanted messages that are actually received from the sender and (b) an estimate of a number of complaints that are not yet made or never made by the receiver and any other receiver.

27. (Original) A method as recited in claim 26, further comprising forwarding the first message only when the amount of monetary value is greater than the penalty.

28. (Currently Amended) A method ~~as recited in claim 25~~, for processing an electronic message, comprising:

receiving a first message from a sender that is sent to an intended recipient;

requesting a service operator to determine whether the sender of the first message satisfies specified sending criteria;

receiving a second message from the service operator indicating whether the sender satisfies the specified sending criteria;

forwarding the first message to the intended recipient only when the second message indicates that the sender of the first message satisfies the specified sending criteria;

wherein the second message includes a sender experience value for the sender of the first message, wherein the sender experience value is computed as the amount of monetary value divided by a sum of a number of complaints about unwanted messages that are actually received from the sender and an estimate of a number of complaints that are not yet filed or never filed by the receiver and any other receivers.

29. (Original) A method as recited in claim 28, further comprising forwarding the first message only when the sender experience value for the sender of the first message is greater than or equal to a specified minimum sender experience value.

30. (Currently Amended) A method as recited in claims 26 or 28 ~~25~~, wherein the second message includes a penalty value identifying a monetary penalty that the sender is willing to pay if the recipient indicates that the first message is unwanted.

31. (Currently Amended) A method as recited in claims 26 or 28 ~~25~~, wherein the second message includes a penalty value identifying a monetary penalty that the sender is willing to pay if the recipient indicates that the first message is unwanted, and wherein the requesting step includes requesting the service operator to determine whether the first message is bonded by comparing the penalty value to a specified threshold.

32. (Currently Amended) A method as recited in claims 26 or 28 ~~25~~, wherein the second message includes a penalty value identifying a monetary penalty that the sender is willing to pay

if the recipient indicates that the first message is unwanted, and wherein the requesting step includes requesting the service operator to determine whether the first message is bonded by comparing the penalty value to a specified threshold, and wherein the specified threshold is selected based on an identity of the intended recipient.

33. (Cancelled)

34. (Currently Amended) A method ~~as recited in claim 33~~, of managing electronic messages sent from a sender to a recipient, comprising:

receiving agreement from a message sender to pay a penalty, wherein the penalty is based upon a determination that one or more electronic messages sent by the message sender to message recipients are unwanted by the message recipients;

receiving one or more indications that a message sent by the message sender is unwanted by one or more of the message recipients;

creating and storing one or more records of the indications;

charging the message sender a penalty based upon the number of indications that are received; and

~~further comprising the steps of~~ informing the recipient whether, for the sender, an amount of monetary value that the sender has agreed to forfeit is greater than a base penalty amount multiplied by the sum of (a) a number of complaints about unwanted messages that are actually received from the sender and (b) an estimate of a number of complaints that are not yet made or never made by the receiver and any other receiver.

35. (Currently Amended) A method ~~as recited in claim 33~~, of managing electronic messages sent from a sender to a recipient, comprising:

receiving agreement from a message sender to pay a penalty, wherein the penalty is based upon a determination that one or more electronic messages sent by the message sender to message recipients are unwanted by the message recipients;

receiving one or more indications that a message sent by the message sender is unwanted by one or more of the message recipients;

creating and storing one or more records of the indications;

charging the message sender a penalty based upon the number of indications that are received; and

further comprising informing the recipient of a sender experience value for the sender of the first message, wherein the sender experience value is computed as the amount of monetary value divided by a sum of a number of complaints about unwanted messages that are actually received from the sender and an estimate of a number of complaints that are not yet filed or never filed by the receiver and any other receivers.

36. (Currently Amended) A method as recited in claims 34 or 35~~33~~, wherein the electronic messages are e-mail messages.

37. (Currently Amended) A method as recited in claims 34 or 35~~33~~, wherein the electronic messages are telephone calls.

38. (Currently Amended) A method as recited in claims 34 or 35~~33~~, wherein the electronic messages are pager messages.

39. (Currently Amended) A method as recited in claims 34 or 35~~33~~, wherein the penalty is determined by multiplying the number of indications by a specified fine amount.

40. (Currently Amended) A method as recited in claims 34 or 35~~33~~, wherein the penalty is limited to a specified maximum penalty amount for all indications that are received in a specified period.

41. (Currently Amended) A method as recited in claims 34 or 35~~33~~, wherein the penalty is determined by multiplying the number of indications received by a penalty value that is selected from among one of a plurality of penalty values based on the number of indications that are received.

42. (Currently Amended) A method as recited in claims 34 or 35~~33~~, wherein the penalty is a fixed amount per indication that exceeds an allowed complaint rate.

43. (Cancelled)



44. (Cancelled)

45. (Cancelled)

46. (Cancelled)

47. (Currently Amended) A method of penalizing a sender of unsolicited messages directed through a receiver to a recipient, comprising the steps of:

receiving an encrypted token that the sender provided in the message;

determining, based on values in the encrypted token, whether the sender actually created the token;

determining whether the sender has sufficient credit to suffer a penalty if the message is unwanted by the recipient;

sending a response message identifying whether the sender actually created the token and whether the sender has sufficient credit;

receiving information specifying that the message is unwanted; and ~~penalizing the sender;~~

determining a sender experience value for the sender of the message, wherein the sender experience value is computed as the amount of monetary value divided by a sum of a number of complaints about unwanted messages that are actually received from the sender and an estimate of a number of complaints that are not yet filed or never filed by the receiver and any other receivers.

48. (Original) A method as recited in claim 47, further comprising determining whether a recipient address value in the encrypted token matches a known network address of the recipient.

49. (Original) A method as recited in claim 47, wherein the encrypted token includes a sender identifier, token identifier, and penalty amount offered by the sender.

50. (Original) A method as recited in claim 47, wherein the encrypted token includes a sender identifier, token identifier, penalty amount offered by the sender, and expiration time

value.

51. (Original) A method as recited in claim 47, wherein values in the encrypted token comprise a sender identifier, penalty amount offered by the sender, and recipient address.

52. (Original) A method as recited in claim 47, further comprising the steps of determining whether the encrypted token has been processed before, and generating a value in the response message that indicates whether the encrypted token has been processed before.

53. (Original) A method as recited in claim 47, wherein values in the encrypted token comprise an expiration time value, and further comprising the steps of: determining whether the expiration time value has passed; accepting the message only when the expiration time value has not passed.

54. (Original) A method as recited in claim 47, wherein values in the encrypted token comprise an penalty amount offered by the sender, and further comprising the steps of: determining whether the penalty amount offered by the sender is greater than a specified minimum penalty value; accepting the message only when the penalty amount offered by the sender is greater than a specified minimum penalty value.

55. (Original) A method as recited in claim 47, wherein values in the encrypted token comprise a recipient address value, and further comprising the steps of: determining whether the recipient address value matches a destination address value in a header of the message; accepting the message only when the recipient address value matches a destination address value in a header of the message.

56. (Original) A method as recited in claim 47, further comprising the steps of accepting the message only when the sender actually created the token.

57. (Original) A method as recited in claim 47, further comprising the steps of penalizing the sender only when a complaint message containing the token is determined to have actually originated from a recipient of the first message.

58. (Original) A method as recited in claim 47, further comprising the steps of accepting the message only when the sender has sufficient credit to suffer a penalty if the message is unwanted by the recipient.

59. (Original) A method as recited in claim 47, further comprising the steps of: receiving the encrypted token with the information specifying that the message is unwanted; and penalizing the sender only upon determining, based on a sender identifier in the token, that the sender actually created the token.

60. (Original) A method as recited in claim 47, further comprising the steps of: receiving the encrypted token with the information specifying that the message is unwanted; and penalizing the sender only upon determining, based on an expiration time value in the token, that the token is unexpired.

61. (Original) A method as recited in claim 47, further comprising the steps of: receiving the encrypted token with the information specifying that the message is unwanted; and penalizing the sender only upon determining, based on the token, that the sender has not previously paid a penalty for other messages associated with the same token.

62. (Original) A method as recited in claim 47, further comprising the steps of penalizing the sender only upon determining, based on a recipient address in the token, that the submitter of the information specifying that the message is unwanted actually owns or is associated with the recipient address.

63. (Original) A method as recited in claim 47, wherein penalizing the sender comprises a service operator issuing an invoice to the sender for payment of a fine.

64. (Original) A method as recited in claim 47, wherein penalizing the sender comprises a service operator transferring funds previously provided by the sender from a first account associated with the service operator to a second account associated with the receiver, the recipient, or a beneficiary.

65. (Currently Amended) A computer-readable medium carrying one or more sequences of instructions for delivering electronic messages, which instructions, when executed by one or more processors, cause the one or more processors to carry out the steps of any of claims 2, 4, 6, 26, 28, 34, 35 and 47 ~~1, 6, 24, 25, 33, 42, 43, 44, 45,~~.

66. (Cancelled)

67. (Currently Amended) An apparatus for delivering electronic messages, comprising: a network interface that is coupled to the data network for receiving one or more packet flows therefrom; a processor; one or more stored sequences of instructions which, when executed by the processor, cause the processor to carry out the steps of any of claims 2, 4, 6, 26, 28, 34, 35 and 47 ~~1, 6, 24, 25, 33, 42, 43, 44, 45,~~.

68. (Currently Amended) A method as recited in claim [[1]] 2, wherein the penalty comprises money, resources, goods, services, or promises.

69. (Original) A method as recited in claim 6, further comprising the steps of: receiving a third message, from the receiver, indicating that the first message is unwanted; determining whether the third message exceeds an allowed complaint rate associated with the sender; and debiting value from the sender when the complaint rate is exceeded.

70. (New) A method of facilitating transmission of an electronic message from a sender to a plurality of addressees, comprising:

transmitting the electronic message to one or more message distribution servers operated by one or more network service providers;

establishing an agreement between the sender and an accreditation service operator to provide an accreditation of electronic messages from the sender, based on the sender meeting

predetermined criteria indicating that it is an identifiable entity with an acceptable record regarding transmission of unwanted messages;

establishing an accreditation indicia and making the indicia available to said one or more network service providers that operate the message distribution servers;

determining whether the message received at the message distribution server is accredited by the accreditation service operator, and if so, operating the message distribution server to deliver the message to the defined recipients without identifying such messages as unwanted commercial messages.

71. (New) The method of claim 70, further comprising notifying the accreditation service operator if, after the message is delivered, a quantity of addressees who identify the message as an unwanted commercial message exceeds a predetermined threshold, and in response revising the accreditation of future messages from the sender.

72. (New) The method of claim 71 wherein to obtain accreditation of a message, the sender agrees to pay a fee if a quantity of addressees who identify the message as an unwanted commercial message exceeds a predetermined threshold.

73. (New) The method of claim 72 wherein the sender deposits a bond amount with the accreditation service operator, at least part of which is paid to the network service providers if a quantity of addressees who identify the message as an unwanted commercial message exceeds a predetermined threshold.

74. (New) The method of claim 73 wherein the accreditation indicia comprises a token attached to the message.

75. (New) The method of claim 74 wherein the token is encrypted.
76. (New) The method of claim 73 wherein the accreditation indicia comprises a record in a repository of accredited sender information provided by the accreditation service operator.
77. (New) The method of claim 70 wherein a network service provider accesses a repository of accredited sender information provided by the accreditation service operator to determine whether to deliver the message.
78. (New) The method of claim 70 wherein during the process of determining whether the message is accredited, the network service provider verifies the source address of the message.
79. (New) The method of claim 70 wherein the message is transmitted by the sender to the accreditation service operator and transmitted to the message distribution server by the accreditation service operator in a manner confirming accreditation of the message.
80. (New) The method of claim 70 wherein the message is an e-mail message and the message distribution server comprises an internet protocol e-mail server.
81. (New) The method of claim 70, wherein a penalty is determined by multiplying a quantity of addressees who identify the message as an unwanted commercial message by a specified fine amount.
82. (New) The method claim 81 wherein the penalty is limited to a specified maximum penalty amount for all identifications of the message as an unwanted commercial message that are received in a specified period.

83. (New) The method of claim 75, wherein the encrypted token includes a sender identifier, token identifier, and penalty amount offered by the sender.

84. (New) The method of claim 83, further comprising determining whether the encrypted token has been processed before, and generating a value in the response message that indicates whether the encrypted token has been processed before.

85. (New) The method of claim 75, wherein values in the encrypted token comprise an expiration time value, and further comprising:

determining whether the expiration time value has passed;

accepting the message only when the expiration time value has not passed.